

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS –LA – SRSP– Warangal District – Hanmakonda (Mandal) – Kumarpally (Village) O.P.No.129/81 - Sanction of decretal charges of **Rs.5,88,073/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A1) DEPARTMENT

G.O.RT.NO. 223

DATE:22.04.2010

Read:

- 1) From the Special Collector, LA, SRSP, SSP & JCRGLIP, Hyd.Lr.No. E2/1991/2009, dated:04.11.2009.
- 2) From the Secy.to CCLA, AP, Hyd, Lr.No.SRP2/1044/09, dt:01.04.10.

O R D E R:

The Secretary to the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.No.129/81 pertaining to Kumarpally (V) Hanmakonda (M) of Warangal District. The then SDC, LA, SRSP Stage-I & II, Unit-II, Warangal has acquired land to an extent of Acs.25.03 gts for excavation of Kakatiya Main Canal in the limits of Kumarpally (V) of Hanmakonda (V) vide Award No.7/80-81, dt:20.02.1981 by fixing the market value @Rs.4,300/- per acre for dry lands. The awardees have filed petitions u/s 18 of L.A.Act. The Court of Principal Sub-ordinate Judge, Warangal vide judgment and decree dt:22.08.1988 has enhanced the compensation and an amount of Rs.52,000/- was adjusted in the Civil Court. Aggrieved with the orders and decree in O.P.No.129/1981, the claimants have filed appeal in the Hon'ble High Court of A.P, Hyderabad. The Hon'ble High Court in its orders dt:16.11.2004 in A.S.No.178/2002 while allowed the appeal doth decree that the judgment and decree dt:16.08.2000 in O.P.No.128/91 on the file of the court of the Sr.Civil Judge, Warangal be and hereby is set a side. The appellants/claimants are entitled to payment of compensation @Rs.23/- per square yard and they are not entitled to any benefits under the provisions of the Amended Act, but entitled to payments of 30/- Solatium and Interest thereon.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.5,88,073/- (Rupees Five lakhs eighty eight thousand and seventy three only)** in respect of O.P.No.129/81 pertaining to Kumarpally (V) Hanmakonda (M) of Warangal District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, LA, SSP & JCRGLIP, Hyderabad is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.129/81 for avoiding intervention of the middleman.

4) The expenditure sanctioned in para (2) ante, shall be debitable to the following Head of Account under "2701 – Capital Out Lay – M&MI-01 – Major Irrigation - Commercial – M.H.116 – Sriramsagar Project - G.H (11) Normal State Plan – Schemes included in the Plan - S.H (27) Canals & Distributaries – 530 - Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O.No.4878/ F4(2)/2009-1, dated:22.12.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Secretary to the CCLA, Andhra Pradesh, Hyderabad.

The Special Collector, LA, SSP, JCRGLIP, Tarnaka, Hyderabad.

The Special Deputy Collector, LA Unit-I, SRSP Stage I&II, Warangal.

The Administrative-cum-Chief Engineer, SRSP, M.J.Road, Hyderabad

The Director of Works Accounts, SRSP, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.29473/LA-III(A1)/2009

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER